

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

ELIZABETH GOODWIN Administrator of:  
the Estate of Brian Garber,

Plaintiff,

vs.

RICHLAND COUNTY, OHIO, *et al.*,

Defendants.

CASE NO. 1:15-cv-00210

MAGISTRATE JUDGE  
WILLIAM H BAUGHMAN, JR.

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**DEFENDANTS' UNOPPOSED MOTION TO CONTINUE THE TRIAL SCHEDULED  
FOR DECEMBER 10, 2018**

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Defendants hereby move this Court to continue the trial in the above-captioned matter scheduled to begin December 10, 2018. Plaintiff does not oppose Defendants' motion.

This continuance is requested because there is a serious health issue affecting lead counsel for Defendants, Daniel T. Downey's, immediate family member which will require Mr. Downey's attention and continued presence at his home in Columbus, Ohio to ensure proper care and medical attention is given to this family member. Mr. Downey's presence at his home is also necessary for the well-being of this family member. Mr. Downey's obligation to care for this family member will continue during the time this case is currently set for trial and will likely last for a minimum of 30 days.

In light of this Motion, the parties also request the pre-trial currently scheduled for Monday, December 3, 2018 be converted to a status conference.

This request is not made for the purposes of undue delay and is made after careful consideration of the above-referenced circumstances. Accordingly, Defendants respectfully request the Court continue the trial in this matter for the reasons stated herein.

Respectfully submitted,

/s/ Daniel T. Downey

Daniel T. Downey (0063753)

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*Attorneys for Defendants Raymond Frazier, Andrew  
Knee and James Nicholson*

### **CERTIFICATE OF SERVICE**

I hereby certify that on November 29, 2018, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Daniel T. Downey

Daniel T. Downey (0063753)

*Attorney for Defendant Raymond Frazier, Andrew  
Knee and James Nicholson.*

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